

Permit No. 89218T

TEMPORARY
THE STATE OF NEVADA

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Name of Permittee: ALBEMARLE U.S., INC.
Source: UNDERGROUND
Basin: CLAYTON VALLEY
Manner of Use: MINING AND MILLING
Period of Use: ONE YEAR FROM DATE OF ISSUANCE.
Priority Date: 08/10/1981

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 44258, Certificate 12776, is issued subject to the terms and conditions imposed in said Permit 44258, Certificate 12776, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

The permittee shall keep monthly records of the amount of water pumped from this well and the records submitted to the State Engineer within 30 days from the expiration of this temporary permit.

The total combined duty of water under Permit 44251, Certificate 12770; Permit 44252, Certificate 12771; Permit 44253, Certificate 12772; Permit 44255, Certificate 12773; Permit 44256, Certificate 12774; Permit 44257, Certificate 12775; Permit 44258, Certificate 12776; Permit 44260, Certificate 12777; Permit 44261, Certificate 12778; Permit 44267, Certificate 12779; Permit 44268, Certificate 12780; Permit 44269, Certificate 12781; Permit 44270, Certificate 12782; Permit 49988, Certificate 14295; Permits 52918, 52919, 52920, 52921 and 89166T through 89231T shall not exceed 20,000 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(Continued on Page 2)

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **not to exceed 0.0431 cubic feet per second and 31.2 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

N/A

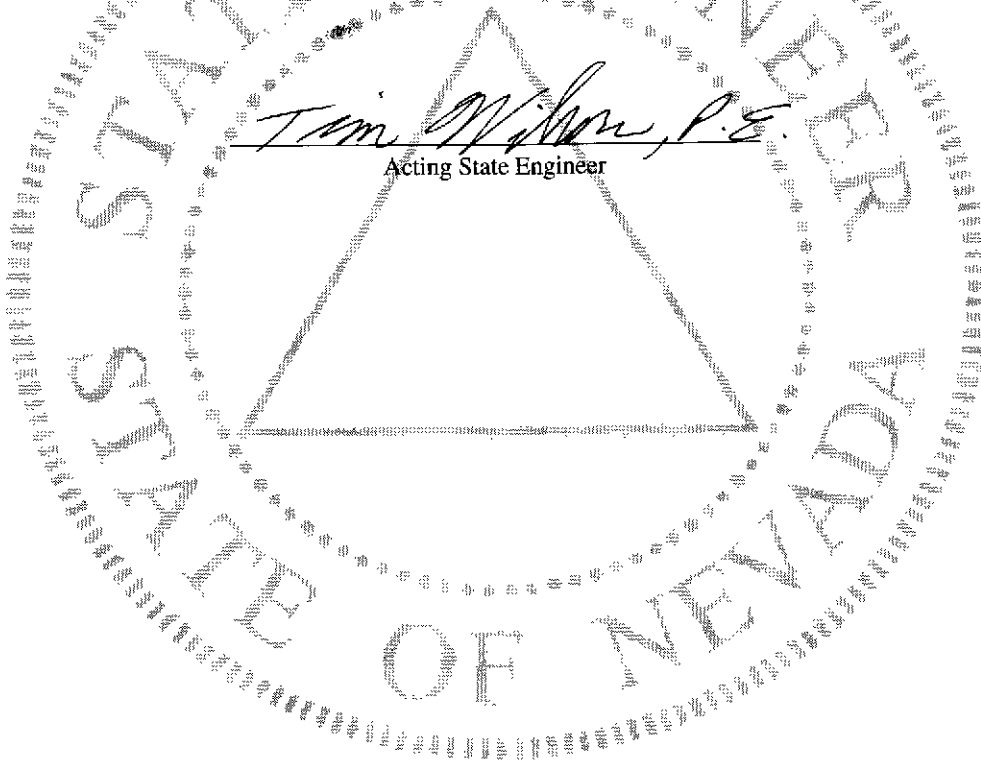
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TIM WILSON, P.E.,

Acting State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of **November, 2019**


Acting State Engineer



**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY		RECEIVED 2019 SEP 27 PM 3:04 STATE ENGINEER'S OFFICE
Date of filing in State Engineer's Office	SEP 27 2019	
Returned to applicant for correction		
Corrected application filed	Map filed SEP 27 2019	

The applicant <u>Albemarle U.S., Inc.</u> <u>P.O. Box 98</u> Nevada, 89047	of <u>Silver Peak</u> City or Town <u>scott.thibodeaux@albemarle.com</u> E-mail Address
Street Address or PO Box	State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion

☒ Place of use

☐ Manner of use

☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree)

Permit 44258, Certificate 12776

1. The source of water is Underground - Well 49A

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.04310 c.f.s., not to exceed 31.20 a.f.a.

Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).

3. The water to be used for Mining

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for Mining

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

within the NE¼ SE¼ Section 7, T.2S., R.40E., M.D.M., or at a point from which the Southwest corner of Section 30, T.2S., R.40E., M.D.M. bears S. 12°31' W., a distance of 18,325 feet. (Well 49A)

Please refer to supporting map accompanying this application.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

the SW¼ NE¼ Section 8, T.2S., R.40E., M.D.M., or at a point from which the Southwest corner of Section 22, T.2S., R.39E., M.D.M. bears S. 60° 24' 41" W., a distance of 27,954.0 feet.

Refer to supporting map filed December 8, 1981 under Application 44251 (sheet 5 of 5).

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Attachment A

Refer to supporting map filed November 3, 2017 under Application 87456T.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation) 0.75

Attachment B

Refer to supporting map filed December 8, 1981 under Application 44251.

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc)

Drilled well, pump, motor, and lithium extraction distribution system.

12. Estimated cost of works Approximately \$2,000,000 (well)

13. Estimated time required to construct works Existing 310' drilled and cased 10" well.

If well completed, describe well

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

The brine pumped pursuant to this application contains the mineral Lithium. The brine solution is pumped to evaporation ponds, where the Lithium is recovered from the dehydrated solution. The area which includes the point of diversion and place of use is appurtenant pursuant to the Mining Laws of 1872, as found in 30 U.S. Code § 22, et seq. This water right will be utilized in conjunction with others held by the applicant with a total combined duty not to exceed 20,000 acre-feet per annum.

16. Miscellaneous remarks:

This application seeks to realign this base right under the terms of Phase 1 of the State Engineer's Administrative Order on Consent (AOC).

rciwater@rci-nv.com

E-mail Address

(775) 883-1600

Phone No

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Reed A. Cozens, PE, WRS

Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.

Company Name

340 N. Minnesota St.

Street Address or PO Box

Carson City, NV 89703

City, State, ZIP Code

Attachment "A"

**For Temporary Application to change portions under Permit 44258,
Certificate 12776**

Item #7 – Proposed Place of Use

T.1S., R.40E., M.D.M.

Section 27: ~~Portion of NE¹/₄ SW¹/₄~~, Portion of NW¹/₄ SW¹/₄, S¹/₂ SW¹/₄,
Portion of NW¹/₄ SE¹/₄ and SW¹/₄ SE¹/₄

Section 28: Portion of SE¹/₄ SE¹/₄

Section 31: SE¹/₄ SE¹/₄

Section 32: SE¹/₄ NW¹/₄, S¹/₂ NE¹/₄, and S¹/₂

Section 33: Portion of NE¹/₄ NW¹/₄, Portion of NW¹/₄ NE¹/₄, NE¹/₄ NE¹/₄, S¹/₂ N¹/₂, and S¹/₂

Section 34: All

Section 35: NW¹/₄ NW¹/₄, Portion of NE¹/₄ NW¹/₄, S¹/₂ NW¹/₄, Portion of NW¹/₄ NE¹/₄,
SW¹/₄ NE¹/₄, SW¹/₄, NW¹/₄ SE¹/₄, and Portion of SW¹/₄ SE¹/₄

T.2S., R.40E., M.D.M.

Section 1: NW¹/₄ NW¹/₄ (Lots 11, 12, and 13), Portion of NE¹/₄ NW¹/₄ (Lots 9 and 10), and
Portion of SW¹/₄ NW¹/₄

Section 2: N¹/₂, SW¹/₄, NW¹/₄ SE¹/₄, Portion of NE¹/₄ SE¹/₄, and Portion of SW¹/₄ SE¹/₄

Section 3: All

Section 4: All

Section 5: Portion of NW¹/₄ NW¹/₄ (Lot 13), NE¹/₄ NW¹/₄ (Lots 9, 10, and 14), S¹/₂ NW¹/₄,
NE¹/₄, and S¹/₂

Section 6: Portion of NE¹/₄ NE¹/₄ (Lot 19), S¹/₂ NE¹/₄, E¹/₂ SW¹/₄, and SE¹/₄

Section 7: All

Section 8: All

Section 9: All

Section 10: NW¹/₄, N¹/₂ NE¹/₄, NW¹/₄ SW¹/₄, and Portion of NE¹/₄ SW¹/₄

Section 11: Portion of NW¹/₄ NW¹/₄, and Portion of NE¹/₄ NW¹/₄

Section 16: NW¹/₄ NW¹/₄, NE¹/₄ NW¹/₄, NW¹/₄ NE¹/₄, and Portion of SW¹/₄ NW¹/₄

Section 17: N¹/₂, SW¹/₄, and W¹/₂ SE¹/₄

Section 18: All

Section 19: All

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89218T

Attachment "B"

**For Temporary Application to change portions under Permit 44258,
Certificate 12776**

Item #8 – Existing Place of Use

89218 T

(cont.) T.2S., R.39E., M.D.M.

Section 26: All

Section 27: All

Section 28: E $\frac{1}{2}$

Section 34: All

Section 35: All

Section 36: All

T.2S., R.40E., M.D.M.

Section 1: All

Section 2: All

Section 3: All

Section 4: All

Section 5: All

Section 6: All

Section 7: All

Section 8: All

Section 9: All

Section 10: N $\frac{1}{2}$ and SW $\frac{1}{4}$

Section 11: NW $\frac{1}{4}$

Section 15: NW $\frac{1}{4}$

Section 16: N $\frac{1}{2}$ and SW $\frac{1}{4}$

Section 17: All

Section 18: All

Section 19: All

Section 20: All

Section 29: All

Section 30: All

Section 31: All

September 2019

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Attachment "A"**For Temporary Application to change portions under Permit 44258,
Certificate 12776****Item #7 – Proposed Place of Use****(Cont.) T.2S., R.40E., M.D.M.**Section 20: $W\frac{1}{2}$, and $W\frac{1}{2} E\frac{1}{2}$ Section 29: $N\frac{1}{2} NW\frac{1}{4}$, $SW\frac{1}{4} NW\frac{1}{4}$, and $W\frac{1}{2} SW\frac{1}{4}$

Section 30: All

Section 31: $NE\frac{1}{4} NE\frac{1}{4}$ Section 32: $NW\frac{1}{4} NW\frac{1}{4}$

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T.2S., R.39E., M.D.M.

Section 12: $SE\frac{1}{4} NE\frac{1}{4}$, Portion of $SE\frac{1}{4} SW\frac{1}{4}$, Portion of $NW\frac{1}{4} SE\frac{1}{4}$, $NE\frac{1}{4} SE\frac{1}{4}$, and
 $S\frac{1}{2} SE\frac{1}{4}$

Section 13: All

Section 21: Portion of the $NE\frac{1}{4} SE\frac{1}{4}$

Section 22: Portion of the $SE\frac{1}{4} NW\frac{1}{4}$, Portion of the $NW\frac{1}{4} SW\frac{1}{4}$, $NE\frac{1}{4} SW\frac{1}{4}$,
 Portion of the $SW\frac{1}{4} SW\frac{1}{4}$, Portion of the $SE\frac{1}{4} SW\frac{1}{4}$, and $N\frac{1}{2} SE\frac{1}{4}$

Section 23: Portion of $NW\frac{1}{4} NE\frac{1}{4}$, $NE\frac{1}{4} NE\frac{1}{4}$, $S\frac{1}{2} N\frac{1}{2}$, $NW\frac{1}{4} SW\frac{1}{4}$,
 Portion of $NE\frac{1}{4} SW\frac{1}{4}$, Portion of $NW\frac{1}{4} SE\frac{1}{4}$, and Portion of $NE\frac{1}{4} SE\frac{1}{4}$

Section 24: $N\frac{1}{2}$, $N\frac{1}{2} SW\frac{1}{4}$, Portion of $SW\frac{1}{4} SW\frac{1}{4}$, $SE\frac{1}{4} SW\frac{1}{4}$, and $SE\frac{1}{4}$ Section 25: $E\frac{1}{2} NW\frac{1}{4}$, Portion of $SW\frac{1}{4} NW\frac{1}{4}$, $NE\frac{1}{4}$, and $S\frac{1}{2}$

Attachment "B"

**For Temporary Application to change portions under Permit 44258,
Certificate 12776**

Item #8 – Existing Place of Use

89218

T.1S., R.39E., M.D.M.

Section 35: S $\frac{1}{2}$

Section 36: All

T.1S., R.40E., M.D.M.

Section 19: SE $\frac{1}{4}$

Section 20: S $\frac{1}{2}$

Section 21: All

Section 22: All

Section 23: All

Section 26: All

Section 27: All

Section 28: All

Section 29: All

Section 30¹: E $\frac{1}{2}$, Lots 47, 48, 49, 50 (formerly known as Lots 23 and 24)

All of Section 31, 32, 33, 34, and 35

T.2S., R.39E., M.D.M.

All of Sections 1, 2, and 3

Section 10: E $\frac{1}{2}$

All of Sections 11, 12, 13, and 14

Section 15: E $\frac{1}{2}$

Section 21: SE $\frac{1}{4}$

Section 22: All

Section 23: All

Section 24: All

Section 25: All

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¹ On December 16, 1983, the BLM approved an independent resurvey of T.1S., R.40E., M.D.M., which supersedes the plat approved April 14, 1884. The 1983 resurvey subdivided and renumbered original Lots 23 and 24. The resurvey did not change the total area or the horizontal position within Section 30, T.1S., R.40E., M.D.M.